

**Control Section 4.10
Reductions By Program**

Org. Code: 3900

Department: Air Resources Board (ARB)

How was reduction implemented?

The Air Resources Board (ARB) eliminated 114.1 positions pursuant to Control Section 4.10 of the *2003 Budget Act*.

What was the actual effect of this reduction?

Reduced staffing and the loss of pollution reduction incentive funds in recent years makes it very challenging to achieve the ambient air quality standards mandated by state and federal laws. Since its peak in fiscal year 2000-01, the total budget for the Air Resources Board (ARB) has declined by 47 percent. ARB's remaining resources are dedicated to core, mission-critical activities including: rule development and adoption, enforcement, and focused responses to public health threats such as random episodes (e.g., fires, facility breakdowns) and newly discovered problems (e.g., asbestos in the El Dorado foothills).

Top priority is given to meeting federal mandates due to the significant consequences of noncompliance. Federal law requires that national air quality standards be met by certain deadlines and that interim progress milestones be observed. These obligations are detailed in the California State Implementation Plan (SIP), which is directly enforceable by the U.S. Environmental Protection Agency and by citizen lawsuits. Failure to comply compromises public health. It also triggers non-discretionary penalties including the imposition of fiscal sanctions that can jeopardize up to \$20 billion in Federal Highway funds, federal takeover of California's regulatory programs, and economic restrictions on new and expanding business in the state.

California's more protective air quality standards are an even bigger challenge to achieve. All major urban areas of the state and many rural counties are currently in violation of the State standards, which necessitates rulemaking and other pollution reducing measures to resolve. ARB is also under state mandates to strengthen its standards still further, where necessary, to ensure adequate protection of children who are uniquely vulnerable to the harmful effects of air pollution and airborne toxic substances.

Every effort is being made to ensure that legal milestones are still met. However, the combined effect of reduced staffing and external time pressures is causing supporting technical and data gathering processes to be less robust than desirable. The most significant impacts so far are:

- Greater difficulty in meeting rulemaking deadlines set by federal law, state law, State Implementation Plans, or court orders, with a consequent increase in the risk of sanctions or litigation to enforce such deadlines.
- An increased risk of sub-optimal regulatory proposals due to fewer funds available for emissions testing, market analyses and other rule-specific studies, leading to potential compliance problems in the field or the need for subsequent rule revisions.
- Less time and personnel to work with both the regulated private sector and environmental groups to forge the essential compromises necessary to deliver emission reductions and in a cost-effective manner achievable by business.
- The elimination/reduction of activities down to federally required minimums (for example, less facility inspections, fewer technical analyses, air monitoring station closures, etc.) resulting in data gaps.
- Reduced ability to safeguard public assets and maintain competitive business opportunities for private sector to provide necessary goods and services.
- Delays to the implementation schedule for adopting measures to safeguard children's health pursuant to the *Children's Environmental Health Protection Act*.
- Reduced outreach and fewer after-hours, out-of-town meetings with local citizens, environmental justice communities and other key population groups due to staffing reductions plus cuts in overtime and travel.
- Delayed abatement of the existing risk to public health from sources of toxic air contaminants and other air pollutants. Major regulatory efforts affected by staff reductions include ARB's diesel risk reduction plan and its commitment to double emission reductions from off-road and on-road vehicles.

Department Director Approval: 

Date: 3/10/04

Agency Secretary Approval:  for TT

Date: 3-12-2004

**Control Section 4.10
Reductions By Program**

Org. Code: 3910

Department: Integrated Waste Management Board (IWMB)

How was reduction implemented?

The Integrated Waste Management Board (IWMB) eliminated 53.0 positions pursuant to Control Section 4.10 of the *2003 Budget Act*.

What was the actual effect of this reduction?

The public's health and safety is threatened when the most critical activities/mandates of the Board are not met. The reduction in board staff has diminished the Board's ability to address the clean up of unpermitted waste sites, illegal disposal sites including illegal tire piles, and the illegal disposal of household hazardous wastes. The Board's ability to assist local and tribal governments with their inspection, enforcement and cleanup has also been impacted significantly as a result of position reductions. The associated reduction in OE&E funding, which includes funding for travel, means that staff cannot travel as needed to conduct inspections on a timely basis, identify and evaluate sites needing remediation, and to oversee contractor cleanup activities.

- Disposal Site Cleanup. Reductions in the number of staff available to assist in identifying and evaluating sites needing cleanup, and in the ability to oversee the contractors conducting the cleanups, will result in increased threats to public health, including contamination of groundwater and surface water, increased air emissions, and exposure to pathogens, odor emissions, and the proliferation and transmission of vectors (rats, mosquitoes, etc.).
- Tire Site Cleanup. The Board has expended more than \$6 million to clean up 30 illegal waste tire sites, removing nearly eight million tires. Twenty illegal tire disposal sites remain to be cleaned up. This program is particularly impacted by the position reductions, which means that the Board cannot adequately perform the cleanups and remedial actions that will prevent substantial pollution, nuisance or injury to the public. Threats to the public include tire fires such as the Tracy and Westley fires, with the accompanying exposure to air emissions such as toxic particulate matter and toxic chemicals; and exposure from the proliferation and transmission of vectors (rats, mosquitoes, etc.). One tire fire alone, if not prevented

through inspection, enforcement and cleanup, can cost millions of dollars to control and extinguish, e.g., as part of the Westley tire fire remediation, the Board expended \$17.5 million to remove contaminated materials from the site.

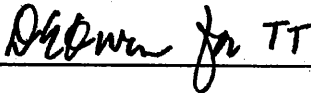
- **Financial Assistance.** The Board provides grants to assist public agencies and tribal governments with inspection and enforcement activities to ensure that solid wastes are handled safely, and to remove the threats to public health and safety, and the environment that result from illegal disposal. Program and position reductions in the area of grant funding have resulted in a delay in getting grant dollars to local governments and tribal governments, which results in an impact to their ability to support recycling and other diversion efforts, conduct facility inspections, and to identify and cleanup illegal disposal sites. This in turn results in an increased threat to the public and to the environment through contamination of groundwater and surface water, increased air emissions, and exposure to pathogens, odor emissions, and the proliferation and transmission of vectors.
- **Electronic Waste Reduction.** Implementation of SB 20, the Electronic Waste Reduction program was identified as a priority in the Governor's Environmental Action Plan. In addition to not having received sufficient resources to address the mandates of SB 20, the position reductions have further impacted the Board's ability implement this program.
- **Recycling and the Economy.** The materials diverted to the growing recycling industry are a direct result of the efforts of the Board and local government. Recycling now accounts for 85,000 California jobs, generates \$4 billion in salaries and wages, and produces \$10 billion worth of goods and services annually. The grants, loans and technical assistance provided by the Board creates jobs and strengthens the economy. This effort will be reduced as a result of the position reductions, which will reduce the number of businesses the Board can assist, and the number of jobs available, currently more than 400 recycling-based businesses, resulting in the creation of 3,400 jobs.

Department Director Approval:



Date: March 11, 2004

Agency Secretary Approval:



Date: 3-12-2004

Control Section 4.10 Reductions By Program

Org. Code: 3930
Department: Pesticide Regulation

How was reduction implemented?

When Control Section 4.10 was implemented, the Department of Pesticide Regulation (DPR) did not have to layoff any employees since all of the positions were vacant.

What was the actual effect of this reduction?

Registration and Medical Toxicology. Businesses seeking registration of a pesticide or a change in the label requirements for a pesticide for sale in California will experience delays for processing toxicological data and for processing a registration or label change request. The reduction in this area resulted in a 66 percent reduction in processing registration requests, a 100 percent impact on label file maintenance, and a 50 percent reduction in response time to label information requests.

Worker Health and Safety. Contract dollars related to the expansion of the farmworker outreach program will not occur.

Enforcement. DPR's core oversight activities of the county enforcement program have been reduced, as well as the ability to analyze compliance data and the ability to provide data to interested parties. In addition, DPR has reduced the number of inspections and collection of pesticide samples, including food residue sampling.

Environmental Monitoring. Air exposure control measures have been delayed, and DPR reduced ground water sampling and support of the Total Maximum Daily Loads program required by state and federal mandates. The impact to the air program represents a 14 percent reduction in resources allocated for workload associated with supporting the Air Resources Board and air pollution control districts in developing the State Implementation Plan and associated control measures required by the Clean Air Act. The impact to the ground water program represents a 35 percent reduction in DPR's ability to conduct computer modeling of pesticide environmental fate, and represents a 50 percent reduction in the ability to compile pesticide use and other data used in selecting active ingredients and preparation for ground water protection listing.

Pest Management and Licensing. Businesses and persons who must be licensed to apply pesticides will experience delays in processing applications for examinations and license renewals. Pest control companies may not conduct work unless licenses are valid and current.

3930 Department of Pesticide Regulation
Control Section 4.10 Reductions by Program
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Program Services. Fifty percent of the administrative program support for pest management, environmental monitoring, enforcement, and licensing programs was eliminated. Scientific and professional staff are required to perform more administrative-type work, which results in delays meeting DPR's core mission to protect human health and the environment.

Equal Employment Opportunity (EEO). DPR has been delayed in its ability to ensure adherence to all federal and state EEO laws. This has left DPR vulnerable and liable to lawsuits and grievances stemming from complaints of discrimination, sexual harassment, retaliation, etc. Specifically, DPR is delayed in responding to the biannual Dymally-Allatorre Bilingual Services Act language survey.

Legal. Clerical support has been totally eliminated for the legal staff. The Chief Counsel and three attorneys now have to perform a variety of clerical duties that has resulted in delays in processing legal cases which impact DPR's core mission to protect human health and the environment.

Administrative Support. Clerical support has been eliminated for the Assistant Director for Administration. The Assistant Director personally performs many support duties, which include the development and promulgation of departmental administrative programs, procedures, and policies affecting the entire Department.

Information Technology. DPR is now "one-deep" in application-related areas and system administration. DPR has been significantly delayed or unable to respond to control agency directives related to project management/oversight, heightened security requirements, and other reporting requirements. In addition, it has left DPR vulnerable to be able to maintain the basic support of an information technology operation.

Mill Assessment. Enforcement of illegal pesticide sales via the Internet will be restricted to only those involving public health concerns. Businesses selling pesticides illegally via the Internet will not be investigated or prosecuted.

Personnel. Approximately 50 percent of DPR's civil service employment lists are expired, having met the four-year life cycle (resulting in limited means by which to appoint people in DPR's job classes). The remaining employment lists are over three years old and are quite dated to achieve optimal future recruitment and/or retention success. Out of 344 employees, DPR has 138 (40.2 percent) over the age of 50 and nearing retirement. Addressing succession planning for DPR's workforce has become critical.

Department Director Approval: Paul Helliker

Date: 3/9/04

Agency Secretary Approval: Debra Owen for TT

Date: 3-12-2004

3/8/04

**Control Section 4.10
Reductions By Program**

Org. Code: 3940

Department: State Water Resources Control Board – Executive Office

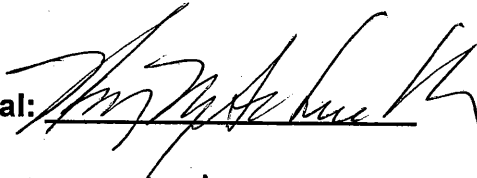
How was reduction implemented?

The Executive Office within the State Water Resources Control Board eliminated 4.1 positions pursuant to Control Section 4.10 of the *2003 Budget Act*.

What was the actual effect of this reduction?

- The Office of Employee Assistance has required a longer amount of time to respond to complaints and issues raised by employees. Furthermore it has reduced the options available for pursuing new and or innovative approaches to employee diversity issues. This reduction, however, has been compensated in some part by the reduced staffing levels which have occurred under the larger scale reduction scenario.
- The preparation of minutes and tapes of Board meetings; assisting in the preparation and distribution of Board agendas and serving as general liaison for a variety of administrative tasks within the Office has been reduced.
- Economic research done at the Board has been reduced.
- Participation on a multi-disciplinary team that analyzes, evaluates, and oversees Board-wide programs on their effectiveness in protecting the beneficial uses of California's water resources has been eliminated.

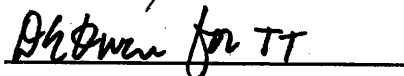
Department Director Approval:



Date:

3/11/04

Agency Secretary Approval:



Date:

3-11-2004

**Control Section 4.10
Reductions By Program**

Org. Code: 3940

Department: State Water Resources Control Board – Office of Information Technology

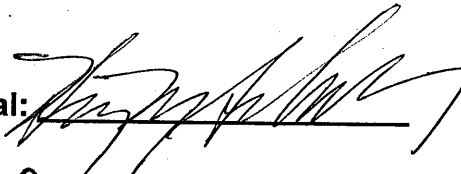
How was reduction implemented?

The Office of Information Technology within the State Water Resources Control Board eliminated 1.0 position pursuant to Control Section 4.10 of the *2003 Budget Act*.

What was the actual effect of this reduction?

- This position served as the project coordinator for the SWIM2 project, which is officially closed and a Post Implementation Evaluation Report (PIER) has been submitted to the Department of Finance. Since the project is closed there is no direct impact associated with this reduction.

Department Director Approval:



Date: 3/11/03

Agency Secretary Approval:

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Date: 3-11-2004

**Control Section 4.10
Reductions By Program**

Org. Code: 3940

Department: State Water Resources Control Board – Office of Chief Counsel

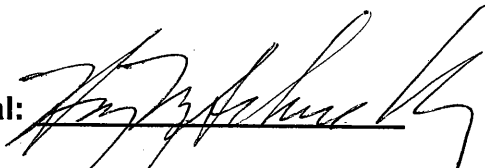
How was reduction implemented?

The Office of Chief Counsel within the State Water Resources Control Board eliminated 3.1 positions pursuant to Control Section 4.10 of the 2003 *Budget Act*.

What was the actual effect of this reduction?

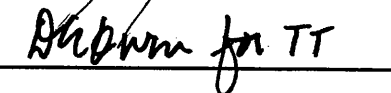
- General office support to the State Board's legal staff was reduced.
- The Office of Chief Counsel's Regional Services Branch has decreased the level of support given to the Regional Boards. Support has also been reduced in the following areas: review of draft NPDES permits; attendance at settlement meetings; preparation of enforcement cases; and attendance at evidentiary hearings.

Department Director Approval:



Date: 03/11/04

Agency Secretary Approval:



Date: 3-11-2004

**Control Section 4.10
Reductions By Program**

Org. Code: 3940

Department: State Water Resources Control Board – Office of Leg/Public Affairs

How was reduction implemented?

The Office of Legislative and Public Affairs within the State Water Resources Control Board eliminated 1.0 position pursuant to Control Section 4.10 of the *2003 Budget Act*.

What was the actual effect of this reduction?

- The SWRCB is less responsive to media inquiries, resulting in the SWRCB's opinion not being expressed, a decreased number of press releases, and help to the Regional Boards with their media needs has been reduced.

Department Director Approval: 

Date: 3/11/04

Agency Secretary Approval: DDW for TT

Date: 3-11-2004

**Control Section 4.10
Reductions By Program**

Org. Code: 3940

Department: State Water Resources Control Board – Division of Water Quality

How was reduction implemented?

The Division of Water Quality within the State Water Resources Control Board eliminated 18.6 positions pursuant to Control Section 4.10 of the *2003 Budget Act*.

What was the actual effect of this reduction?

- Municipalities and businesses seeking new or updated waste discharge requirements (i.e., "permits" for stormwater, landfills, and any other activity that may affect water quality) have experienced increased delay and backlogs in new permits, facility inspections, and compliance activities.
- People and businesses that beneficially use California's surface and ground waters (for drinking and bathing, recreation, boating, power generation, sport and commercial fishing, etc.) have likely found that water quality remains impaired longer or, in worst cases, is further degraded as core regulatory functions diminish.
- The current backlog of "open" leaking underground storage tank cases has increased, which means that soil and ground water pollution will continue unabated.
- The reduction also included \$6.2 million in contract resources. This has an impact to several of the SWRCB's program areas. Major impacts are to the Total Maximum Daily Loads (TMDL) Program which have delayed 23 TMDLs out of the 45 that are supported by contract resources. Water Quality Control Planning contracts were also cut which have required SWRCB staff to independently generate the scientific products needed to support the various regulatory actions. There were also reductions to the contract for Levithan Mine, Border activities, Coastal Nonpoint Source activities, and student resources.

Department Director Approval: 

Date: 3/11/04

Agency Secretary Approval:  for TT

Date: 3-11-2004

**Control Section 4.10
Reductions By Program**

Org. Code: 3940

Department: State Water Resources Control Board – Division of Administrative Services

How was reduction implemented?

The Division of Administrative Services within the State Water Resources Control Board eliminated 12.3 positions pursuant to Control Section 4.10 of the *2003 Budget Act*.

What was the actual effect of this reduction?

- The SWRCB's Training Office was eliminated, therefore leaving the Executive Office without policy guidance on training issues.
- Reduced service in shipping and receiving activities, which also included courier services for the SWRCB and Cal/EPA.
- Longer turn around times for the Accounting Office to process travel claims, vendor payments, and responses to fee related inquiries.
- The processing of personnel transactions has been lengthened.
- Increased workload on budget staff, causing delays in responding to control agencies and decreased time available for the monitoring of organizational budgets.

Department Director Approval:



Date:

3/11/04

Agency Secretary Approval:

De Dura for TT

Date:

3-11-2004

**Control Section 4.10
Reductions By Program**

Org. Code: 3940

Department: State Water Resources Control Board – Division of Water Rights

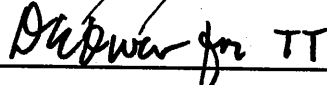
How was reduction implemented?

The Division of Water Rights within the State Water Resources Control Board eliminated 5.2 positions pursuant to Control Section 4.10 of the *2003 Budget Act*.

What was the actual effect of this reduction?

- 75 fewer (a 40 percent reduction) new or revised water right permits and licenses—and 32 fewer (a 60 percent reduction) permit change petitions—are being processed annually. People and businesses seeking such permits have experienced commensurate delays due to an increased backlog.

Department Director Approval:  **Date:** 3/11/04

Agency Secretary Approval:  for TT **Date:** 3-11-2004

**Control Section 4.10
Reductions By Program**

Org. Code: 3940

Department: State Water Resources Control Board – Division of Financial Assistance

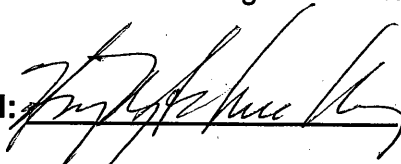
How was reduction implemented?

The Division of Financial Assistance within the State Water Resources Control Board eliminated 21.8 positions pursuant to Control Section 4.10 of the *2003 Budget Act*.

What was the actual effect of this reduction?

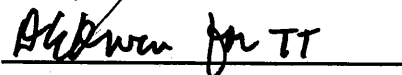
- Small businesses that depend on timely payments for underground storage tank cleanup projects have experienced growing delays (15 percent longer) in payments. This increased processing time has imposed financial hardship on individual claimants and businesses.
- Decreased bond staffing has decreased the Board's ability to ensure that funding is distributed to local agencies prior to the time limits on the specific bond appropriations. This has resulted in longer time periods to implement bond programs, prepare RFPs, and has slowed down other current processes.
- The number of SLIC cases the Board can assist in accomplishing cleanup efforts has been decreased. Fewer cases will be cleaned up each year and increased underground pollution will occur. By prioritizing the cases statewide the SWRCB hopes to be able to minimize the threat to groundwater supplies.

Department Director Approval:



Date: 3/11/04

Agency Secretary Approval:



Date: 3-11-2004

**Control Section 4.10
Reductions By Program**

Org. Code: 3940

Department: State Water Resources Control Board – Region 1 (North Coast)


How was reduction implemented?

The North Coast Regional Water Quality Control Board eliminated 13.2 positions pursuant to Control Section 4.10 of the *2003 Budget Act*.

What was the actual effect of this reduction?

- Municipalities and businesses seeking new or updated waste discharge requirements (i.e., "permits" for stormwater, landfills, and any other activity that may affect water quality) have experienced increased delay and backlogs in new permits, facility inspections, and compliance activities.
- People and businesses that beneficially use California's surface and ground waters (for drinking and bathing, recreation, boating, power generation, sport and commercial fishing, etc.) have likely found that water quality remains impaired longer or, in worst cases, is further degraded as core regulatory functions diminish.
- The current backlog of "open" leaking underground storage tank cases has increased, which means that soil and ground water pollution will continue unabated.
- The North Coast Watershed Assessment Program has been eliminated. This was a reduction to the North Coast Regional Board of 5 PYs and \$340,000. The result of this reduction is that the program has now been eliminated in all agencies statewide.
- There were also reductions to the contract for student resources that assist in various water quality program areas.

Department Director Approval:



Date:

3/11/04

Agency Secretary Approval:

Approved for TT

Date:

3-11-2004

**Control Section 4.10
Reductions By Program**

Org. Code: 3940

Department: State Water Resources Control Board – Region 2 (San Francisco Bay)

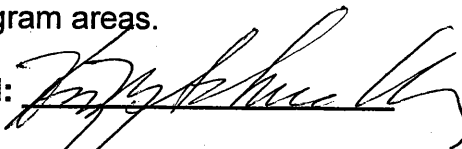
How was reduction implemented?

The San Francisco Bay Regional Water Quality Control Board eliminated 13.4 positions pursuant to Control Section 4.10 of the *2003 Budget Act*.

What was the actual effect of this reduction?

- Municipalities and businesses seeking new or updated waste discharge requirements (i.e., "permits" for stormwater, landfills, and any other activity that may affect water quality) have experienced increased delay and backlogs in new permits, facility inspections, and compliance activities.
- People and businesses that beneficially use California's surface and ground waters (for drinking and bathing, recreation, boating, power generation, sport and commercial fishing, etc.) have likely found that water quality remains impaired longer or, in worst cases, is further degraded as core regulatory functions diminish.
- The current backlog of "open" leaking underground storage tank cases has increased, which means that soil and ground water pollution will continue unabated.
- The Regional Wetlands program has limited the San Francisco Bay Regional Board's ability to participate, review, and regulate the proposed San Francisco International Airport expansion as well as the conversion to wetlands of the 23,000 acres of recently purchased Cargill Salt property in the north and south Bay. There is also limited ability to consider significant water quality certifications in a timely manner which hampers development.
- There were also reductions to the contract for student resources that assist in various water quality program areas.

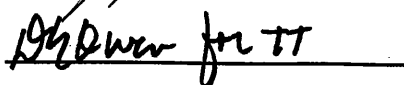
Department Director Approval:



Date:

3/11/04

Agency Secretary Approval:



Date:

3-11-2004

**Control Section 4.10
Reductions By Program**

Org. Code: 3940

Department: State Water Resources Control Board – Region 3 (Central Coast)

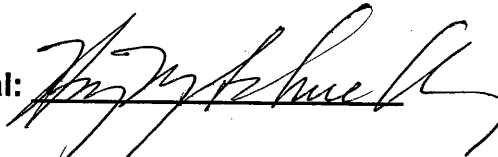
How was reduction implemented?

The Central Coast Regional Water Quality Control Board eliminated 6.6 positions pursuant to Control Section 4.10 of the *2003 Budget Act*.

What was the actual effect of this reduction?

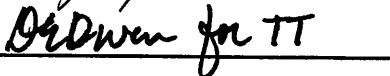
- Municipalities and businesses seeking new or updated waste discharge requirements (i.e., "permits" for stormwater, landfills, and any other activity that may affect water quality) have experienced increased delay and backlogs in new permits, facility inspections, and compliance activities.
- People and businesses that beneficially use California's surface and ground waters (for drinking and bathing, recreation, boating, power generation, sport and commercial fishing, etc.) have likely found that water quality remains impaired longer or, in worst cases, is further degraded as core regulatory functions diminish.
- The current backlog of "open" leaking underground storage tank cases has increased, which means that soil and ground water pollution will continue unabated.
- There were also reductions to the contract for student resources that assist in various water quality program areas.

Department Director Approval:



Date: 3/11/04

Agency Secretary Approval:



Date: 3-11-2004

**Control Section 4.10
Reductions By Program**

Org. Code: 3940

Department: State Water Resources Control Board – Region 4 (Los Angeles)

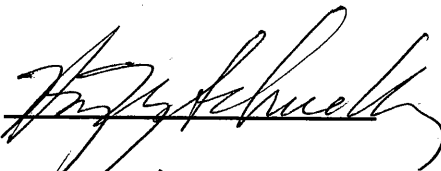
How was reduction implemented?

The Los Angeles Regional Water Quality Control Board eliminated 20.5 positions pursuant to Control Section 4.10 of the *2003 Budget Act*.

What was the actual effect of this reduction?

- Municipalities and businesses seeking new or updated waste discharge requirements (i.e., "permits" for stormwater, landfills, and any other activity that may affect water quality) have experienced increased delay and backlogs in new permits, facility inspections, and compliance activities.
- People and businesses that beneficially use California's surface and ground waters (for drinking and bathing, recreation, boating, power generation, sport and commercial fishing, etc.) have likely found that water quality remains impaired longer or, in worst cases, is further degraded as core regulatory functions diminish.
- The current backlog of "open" leaking underground storage tank cases has increased, which means that soil and ground water pollution will continue unabated.
- There were also reductions to the contract for student resources that assist in various water quality program areas.

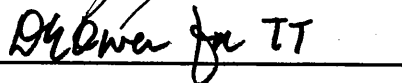
Department Director Approval:



Date:

3/11/04

Agency Secretary Approval:



Date:

3-11-2004

**Control Section 4.10
Reductions By Program**

Org. Code: 3940

Department: State Water Resources Control Board – Region 5 (Central Valley)

How was reduction implemented?

The Central Valley Regional Water Quality Control Board eliminated 20.1 positions pursuant to Control Section 4.10 of the *2003 Budget Act*.

What was the actual effect of this reduction?

- Municipalities and businesses seeking new or updated waste discharge requirements (i.e., "permits" for stormwater, landfills, and any other activity that may affect water quality) have experienced increased delay and backlogs in new permits, facility inspections, and compliance activities.
- People and businesses that beneficially use California's surface and ground waters (for drinking and bathing, recreation, boating, power generation, sport and commercial fishing, etc.) have likely found that water quality remains impaired longer or, in worst cases, is further degraded as core regulatory functions diminish.
- The current backlog of "open" leaking underground storage tank cases has increased, which means that soil and ground water pollution will continue unabated.
- There were also reductions to the contract for student resources that assist in various water quality program areas.

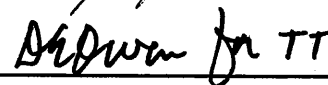
Department Director Approval:



Date:

3/11/04

Agency Secretary Approval:



Date:

3-11-2004

**Control Section 4.10
Reductions By Program**

Org. Code: 3940

Department: State Water Resources Control Board – Region 6 (Lahontan)

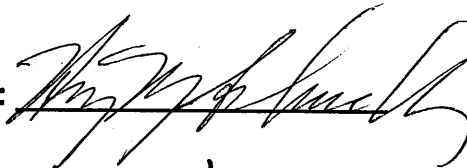
How was reduction implemented?

The Lahontan Regional Water Quality Control Board eliminated 7.2 positions pursuant to Control Section 4.10 of the *2003 Budget Act*.

What was the actual effect of this reduction?

- Municipalities and businesses seeking new or updated waste discharge requirements (i.e., "permits" for stormwater, landfills, and any other activity that may affect water quality) have experienced increased delay and backlogs in new permits, facility inspections, and compliance activities.
- People and businesses that beneficially use California's surface and ground waters (for drinking and bathing, recreation, boating, power generation, sport and commercial fishing, etc.) have likely found that water quality remains impaired longer or, in worst cases, is further degraded as core regulatory functions diminish.
- The current backlog of "open" leaking underground storage tank cases has increased, which means that soil and ground water pollution will continue unabated.
- There were also reductions to the contract for Levithan Mine and student resources that assist in various water quality program areas.

Department Director Approval:



Date:

3/04/04

Agency Secretary Approval:

Shown for TT

Date:

3-11-2004

**Control Section 4.10
Reductions By Program**

Org. Code: 3940

Department: State Water Resources Control Board – Region 7 (Colorado River Basin)

How was reduction implemented?

The Colorado River Basin Regional Water Quality Control Board eliminated 5.7 positions pursuant to Control Section 4.10 of the *2003 Budget Act*.

What was the actual effect of this reduction?

- Municipalities and businesses seeking new or updated waste discharge requirements (i.e., "permits" for stormwater, landfills, and any other activity that may affect water quality) have experienced increased delay and backlogs in new permits, facility inspections, and compliance activities.
- People and businesses that beneficially use California's surface and ground waters (for drinking and bathing, recreation, boating, power generation, sport and commercial fishing, etc.) have likely found that water quality remains impaired longer or, in worst cases, is further degraded as core regulatory functions diminish.
- The current backlog of "open" leaking underground storage tank cases has increased, which means that soil and ground water pollution will continue unabated.
- There were also reductions to the contract for student resources that assist in various water quality program areas.

Department Director Approval: 

Date: 03/11/04

Agency Secretary Approval: Andrew for TT

Date: 3-11-2004

**Control Section 4.10
Reductions By Program**

Org. Code: 3940

Department: State Water Resources Control Board – Region 8 (Santa Ana)

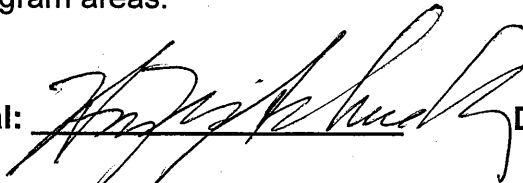
How was reduction implemented?

The Santa Ana Regional Water Quality Control Board eliminated 9.8 positions pursuant to Control Section 4.10 of the *2003 Budget Act*.

What was the actual effect of this reduction?

- Municipalities and businesses seeking new or updated waste discharge requirements (i.e., "permits" for stormwater, landfills, and any other activity that may affect water quality) have experienced increased delay and backlogs in new permits, facility inspections, and compliance activities.
- People and businesses that beneficially use California's surface and ground waters (for drinking and bathing, recreation, boating, power generation, sport and commercial fishing, etc.) have likely found that water quality remains impaired longer or, in worst cases, is further degraded as core regulatory functions diminish.
- The current backlog of "open" leaking underground storage tank cases has increased, which means that soil and ground water pollution will continue unabated.
- There were also reductions to the contract for student resources that assist in various water quality program areas.

Department Director Approval:



Date:

03/11/04

Agency Secretary Approval:

Shirley for TT

Date:

3-11-2004

**Control Section 4.10
Reductions By Program**

Org. Code: 3940

Department: State Water Resources Control Board – Region 9 (San Diego)

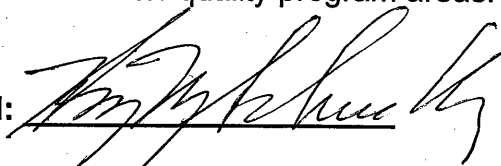
How was reduction implemented?

The San Diego Regional Water Quality Control Board eliminated 7.2 positions pursuant to Control Section 4.10 of the *2003 Budget Act*.

What was the actual effect of this reduction?

- Municipalities and businesses seeking new or updated waste discharge requirements (i.e., "permits" for stormwater, landfills, and any other activity that may affect water quality) have experienced increased delay and backlogs in new permits, facility inspections, and compliance activities.
- People and businesses that beneficially use California's surface and ground waters (for drinking and bathing, recreation, boating, power generation, sport and commercial fishing, etc.) have likely found that water quality remains impaired longer or, in worst cases, is further degraded as core regulatory functions diminish.
- Small businesses that depend on timely payments for underground storage tank cleanup projects have experienced growing delays (15 percent longer) in payments. This increased processing time may impose financial hardship on individual claimants and businesses.
- The current backlog of "open" leaking underground storage tank cases has increased, which means that soil and ground water pollution will continue unabated.
- There were also reductions to the contract for Border activities and student resources that assist in various water quality program areas.

Department Director Approval:



Date:

03/11/04

Agency Secretary Approval:

Debra for TT

Date:

3-11-2004

Control Section 4.10 Reductions By Program

Org. Code: 3960

Department: Toxic Substances Control

Program: 12: Site Mitigation and Brownfield Reuse

Note: Eighty-eight (88) percent of DTSC budget is funded by special, federal or other non-General Fund revenue sources. DTSC receives monies from its cost recovery (i.e., polluter pays) efforts, from hazardous waste industry fees and an environmental fee for businesses with more than 50 employees, from federal grants, and other minor non-General Fund sources. The remaining 12 percent of DTSC's budget comes from the General Fund which funds a court-ordered cleanup of the Stringfellow Superfund site, clandestine drug laboratory removals and off-road hazardous materials response.

How was reduction implemented?

For the most part, the positions eliminated pursuant to Control Section 4.10 were positions that were vacant as of June 30, 2003. As these vacancies were throughout the department and did not necessarily represent DTSC's lowest priority work, DTSC undertook an internal review of all of its programs – Site Mitigation and Brownfields Reuse (schools, military facilities, and other site cleanups); Hazardous Waste Management (compliance and enforcement, permitting, and other regulatory programs); Science, Pollution Prevention & Technology (environmental toxicology, Hazardous Materials Laboratory, pollution prevention); and the numerous programs supporting DTSC's operational arms. DTSC juxtaposed its program review over its established program priorities – schools, brownfields reuse, transfer of military facilities to productive use, enforcement, targeted regulatory focus, pollution prevention, and public participation and environmental justice. Using this information, wherever possible, DTSC redirected filled positions to perform the work of the higher priority vacant positions which were included on the reduction plan. Further, in order to meet the General Fund reduction target, DTSC had to add filled General Fund positions to the reduction plan.

While DTSC did not eliminate any special funded program entirely, its staffing levels are the lowest since FY 2000-01 and as such DTSC will see delays in existing projects, will not be able to accept as many additional projects as work is completed on current projects, and significant backlogs in properties requiring oversight, corrective action, permitting or enforcement will occur.

Control Section 4.10 eliminated 50.7 positions or 52 position equivalents, \$0.819 million in personal services contracts totaling 12.3 position equivalents, and \$1.220 million in operating contracts. The total amount of all of these reductions was \$3.958 million.

What was the actual effect of this reduction?

DTSC's Control Section 4.10 reduction in the Site Mitigation and Brownfields Reuse Program was 23.53 positions (24.11 position equivalents), \$0.155 million in personal services contracts equal to 3 position equivalents and \$1.220 million in operating contracts.

The impact on DTSC's schools environmental investigation and cleanup efforts was so severe that it required redirecting positions and staff from elsewhere in the Site Mitigation and Brownfield Reuse Program, resulting in shortfalls and delays on non-schools cleanup projects, including Brownfields and critical State Superfund sites. In addition to technical project management staff supporting schools, DTSC lost an attorney and toxicologist, both of which were dedicated to the schools program. The loss of the attorney position will drastically reduce schools support and will come at the expense of other Department priorities, such as enforcement. DTSC redirected an existing toxicologist to the schools program in order to meet workload demands impacting both the Site Mitigation and Brownfield Reuse and Hazardous Waste Management Programs. The result is decreased toxicology support for site cleanup, including military bases and a reduction in permitting and corrective action support impacting DTSC's ability to meet federal grant commitments.

Concurrent with the position reductions, DTSC lost another \$1.2 million in General Fund resulting in the elimination of DTSC's illegal drug laboratory guideline development program. The guidelines were to identify a streamlined process for ensuring that the more than 10,000 homes, motel rooms, and other buildings contaminated with illegal drug laboratory wastes over the past five years are adequately characterized and remediated.

DTSC has delayed progress on several projects associated with the Stringfellow federal Superfund site in Riverside County, including replacing leachate storage tanks, purchasing laboratory and decontamination trailers and pads, and testing for radio nuclides. DTSC took the central role in implementing the 400 year, \$12 million per year cleanup of this former industrial waste disposal facility in January 1999.

DTSC had had to reduce its environmental justice program which was beginning to perform community outreach on a regional basis where environmental justice concerns had been raised. Areas impacted include West Oakland, East Los Angeles, and South Central Los Angeles.

DTSC disbanded its Cost Recovery and Reimbursement Policy Unit, delaying billing dispute resolutions, potentially compromising cost recovery on complex cases and bankruptcies, and resulting in the indefinite delay of developing cost recovery policies and procedures.

Department Director Approval:

Ed Lourey

Date:

3/11/04

Agency Secretary Approval:

Blower for TT

Date:

3-11-2004

Control Section 4.10 Reductions By Program

Org. Code: 3960

Department: Toxic Substances Control

Program: 13: Hazardous Waste Management

Note: Eighty-eight (88) percent of DTSC budget is funded by special, federal or other non-General Fund revenue sources. DTSC receives monies from its cost recovery (i.e., polluter pays) efforts, from hazardous waste industry fees and an environmental fee for businesses with more than 50 employees, from federal grants, and other minor non-General Fund sources. The remaining 12 percent of DTSC's budget comes from the General Fund which funds a court-ordered cleanup of the Stringfellow Superfund site, clandestine drug laboratory removals and off-road hazardous materials response.

How was reduction implemented?

For the most part, the positions eliminated pursuant to Control Section 4.10 were positions that were vacant as of June 30, 2003. As these vacancies were throughout the department and did not necessarily represent DTSC's lowest priority work, DTSC undertook an internal review of all of its programs – Site Mitigation and Brownfields Reuse (schools, military facilities, and other site cleanups); Hazardous Waste Management (compliance and enforcement, permitting, and other regulatory programs); Science, Pollution Prevention & Technology (environmental toxicology, Hazardous Materials Laboratory, pollution prevention); and the numerous programs supporting DTSC's operational arms. DTSC juxtaposed its program review over its established program priorities – schools, brownfields reuse, transfer of military facilities to productive use, enforcement, targeted regulatory focus, pollution prevention, and public participation and environmental justice. Using this information, wherever possible, DTSC redirected filled positions to perform the work of the higher priority vacant positions which were included on the reduction plan. Further, in order to meet the General Fund reduction target, DTSC had to add filled General Fund positions to the reduction plan.

While DTSC did not eliminate any special funded program entirely, its staffing levels are the lowest since FY 2000-01 and as such DTSC will see delays in existing projects, will not be able to accept as many additional projects as work is completed on current projects, and significant backlogs in properties requiring oversight, corrective action, permitting or enforcement will occur.

Control Section 4.10 eliminated 50.7 positions or 52 position equivalents, \$0.819 million in personal services contracts totaling 12.3 position equivalents, and \$1.220 million in operating contracts. The total amount of all of these reductions was \$3.958 million.

What was the actual effect of this reduction?

DTSC's Control Section 4.10 reduction in the Hazardous Waste Management Program was 17.87 positions (18.15 position equivalents) and \$0.18 million in personal services contracts equal to 3.7 position equivalents.

DTSC dismantled its waste classification unit, eliminating assistance given to hazardous waste generators in characterizing specific waste streams and placing the full responsibility for making such determinations back on the generators.

These reductions created a large backlog in the Hazardous Waste Management Program's site cleanup activities, known as corrective action. DTSC also now has a significant backlog in its permit renewal program.

DTSC has had to reduce the number of facility inspections. The reductions have also limited DTSC's ability to take enforcement actions against those who violate hazardous waste laws, and to participate on multi-media enforcement task forces.

DTSC's hazardous waste storage, treatment, and disposal permitting decisions are taking longer to process.

DTSC is experiencing delays in developing and promulgating regulations, many of which are designed to lessen regulatory burdens on various business sectors.

Businesses are experiencing delays in obtaining information on manifests and receiving Environmental Protection Agency (EPA) identification numbers so that they can legally handle hazardous waste.

Department Director Approval:

Ed Laury

Date:

3/11/04

Agency Secretary Approval:

DeDura for TT

Date:

3-11-2004

Control Section 4.10 Reductions By Program

Org. Code: 3960

Department: Toxic Substances Control

Program: 20: Science, Pollution Prevention and Technology

Note: Eighty-eight (88) percent of DTSC budget is funded by special, federal or other non-General Fund revenue sources. DTSC receives monies from its cost recovery (i.e., polluter pays) efforts, from hazardous waste industry fees and an environmental fee for businesses with more than 50 employees, from federal grants, and other minor non-General Fund sources. The remaining 12 percent of DTSC's budget comes from the General Fund which funds a court-ordered cleanup of the Stringfellow Superfund site, clandestine drug laboratory removals and off-road hazardous materials response.

How was reduction implemented?

For the most part, the positions eliminated pursuant to Control Section 4.10 were positions that were vacant as of June 30, 2003. As these vacancies were throughout the department and did not necessarily represent DTSC's lowest priority work, DTSC undertook an internal review of all of its programs – Site Mitigation and Brownfields Reuse (schools, military facilities, and other site cleanups); Hazardous Waste Management (compliance and enforcement, permitting, and other regulatory programs); Science, Pollution Prevention & Technology (environmental toxicology, Hazardous Materials Laboratory, pollution prevention); and the numerous programs supporting DTSC's operational arms. DTSC juxtaposed its program review over its established program priorities – schools, brownfields reuse, transfer of military facilities to productive use, enforcement, targeted regulatory focus, pollution prevention, and public participation and environmental justice. Using this information, wherever possible, DTSC redirected filled positions to perform the work of the higher priority vacant positions which were included on the reduction plan. Further, in order to meet the General Fund reduction target, DTSC had to add filled General Fund positions to the reduction plan.

While DTSC did not eliminate any special funded program entirely, its staffing levels are the lowest since FY 2000-01 and as such DTSC will see delays in existing projects, will not be able to accept as many additional projects as work is completed on current projects, and significant backlogs in properties requiring oversight, corrective action, permitting or enforcement will occur.

Control Section 4.10 eliminated 50.7 positions or 52 position equivalents, \$0.819 million in personal services contracts totaling 12.3 position equivalents, and \$1.220 million in operating contracts. The total amount of all of these reductions was \$3.958 million.

What was the actual effect of this reduction?

DTSC's Control Section 4.10 eliminated 0.562 positions (0.57 position equivalents) and \$0.131 million in personal services contracts equal to 2.0 position equivalents.

The elimination of over \$131,000 in contract funding has reduced or eliminated the Science, Pollution Prevention and Technology Program's ability to support DTSC's technical library; conduct effective outreach for pollution prevention, as required by law; provide recognition to deserving businesses; and communicate the programs and benefits of pollution prevention via web-based resources. This reduction also eliminated funds for testing environmental technologies, such as in the auto shredder industry, and funds used to seek input from stakeholders on issues critical to DTSC's mission.

The elimination of positions has decreased administrative support in DTSC's hazardous materials laboratory.

Department Director Approval: Ed Lawry

Date: 3/11/4

Agency Secretary Approval: Debra for TT

Date: 3-11-2004

Control Section 4.10 Reductions By Program

Org. Code: 3960

Department: Toxic Substances Control

Program: 19: Administrative Services

Note: Eighty-eight (88) percent of DTSC budget is funded by special, federal or other non-General Fund revenue sources. DTSC receives monies from its cost recovery (i.e., polluter pays) efforts, from hazardous waste industry fees and an environmental fee for businesses with more than 50 employees, from federal grants, and other minor non-General Fund sources. The remaining 12 percent of DTSC's budget comes from the General Fund which funds a court-ordered cleanup of the Stringfellow Superfund site, clandestine drug laboratory removals and off-road hazardous materials response.

How was reduction implemented?

For the most part, the positions eliminated pursuant to Control Section 4.10 were positions that were vacant as of June 30, 2003. As these vacancies were throughout the department and did not necessarily represent DTSC's lowest priority work, DTSC undertook an internal review of all of its programs – Site Mitigation and Brownfields Reuse (schools, military facilities, and other site cleanups); Hazardous Waste Management (compliance and enforcement, permitting, and other regulatory programs); Science, Pollution Prevention & Technology (environmental toxicology, Hazardous Materials Laboratory, pollution prevention); and the numerous programs supporting DTSC's operational arms. DTSC juxtaposed its program review over its established program priorities – schools, brownfields reuse, transfer of military facilities to productive use, enforcement, targeted regulatory focus, pollution prevention, and public participation and environmental justice. Using this information, wherever possible, DTSC redirected filled positions to perform the work of the higher priority vacant positions which were included on the reduction plan. Further, in order to meet the General Fund reduction target, DTSC had to add filled General Fund positions to the reduction plan.

While DTSC did not eliminate any special funded program entirely, its staffing levels are the lowest since FY 2000-01 and as such DTSC will see delays in existing projects, will not be able to accept as many additional projects as work is completed on current projects, and significant backlogs in properties requiring oversight, corrective action, permitting or enforcement will occur.

Control Section 4.10 eliminated 50.7 positions or 52 position equivalents, \$0.819 million in personal services contracts totaling 12.3 position equivalents, and \$1.220 million in operating contracts. The total amount of all of these reductions was \$3.958 million.

What was the actual effect of this reduction?

DTSC's Control Section 4.10 eliminated 8.738 Administrative Services positions (8.74 position equivalents) and \$0.349 million in personal services contracts equal to 3.6 position equivalents.

DTSC's accounting functions, including revenue and reimbursement collection and bill payment, are severely impacted. Delays in billing will impact DTSC's revenue collections for its special funds reducing their fund balances.

DTSC is experiencing delays in procuring and executing contracts for critical cleanup activities; reviewing and approving purchase requests for essential equipment and supplies including laboratory supplies; conducting personnel actions; and preparing and monitoring DTSC's budget.

Department Director Approval: Ed Lamy

Date: 3/11/4

Agency Secretary Approval: DeDea for TT

Date: 3-11-2004

Control Section 4.10 Reductions By Program

Org. Code: 3980

Department: Office of Environmental Health Hazard Assessment (OEHHA)

How was reduction implemented?

OEHHA's reduction was implemented by eliminating all 27 vacancies. These vacancies became available through attrition due to OEHHA's potential layoff in Spring of 2003.

What was the actual effect of this reduction?

IMPACT OF SECTION 4.10 REDUCTIONS

- The Safe Drinking Water and Toxics Enforcement Act of 1986 (Proposition 65) is a unique law in California that requires companies to "provide warnings" if their products contain chemicals listed by OEHHA as carcinogens or reproductive toxicants. Private attorneys enforce the law by suing companies who fail to provide the warnings. Safe harbor numbers tell industry what levels of exposure to listed chemicals do not require warnings. The majority of over 700 listed chemicals do not have safe harbor numbers. This reduction results in less staff to calculate safe harbor numbers, which exposes more California businesses to potential lawsuits.
- Without the Health Education Consultant, community interaction and education and outreach activities associated with the following have been significantly reduced or abolished: 1) communicating fish advisories that provide guidelines for safe fish consumption (Water Code, Section 13177.5) especially addressing the sensitive populations (pregnant women, infants and children); 2) worker and community pesticide illness investigations and reporting; 3) training of physicians and health care providers on recognition, diagnosis, and treatment of pesticide-related illness; 4) training of pest control operators and their medical supervisors regarding the cholinesterase monitoring and medical supervision program; 5) assistance for migrant worker health clinics; 6) interacting with local health and agricultural departments (Food and Agriculture Code, Section 12982; Health and safety Code, Section 105210; Health and Safety Code, Section 105205; for #2-6); 7) developing written and web-based materials for the above and promoting public health activities of the program; 8) coordinating with other agencies to minimize duplication of efforts, and 9) interaction with public health advocacy groups to keep abreast of legislative activities impacting the program. Other staff will have to perform these necessary activities. Use of technical staff for filling the need will impair scientific health evaluations and technical support and consultation to local health and environmental programs.

- The development of Risk Based Screening Levels (RBSLs) as required by Chapter 764, Statutes of 2001 (Land Environmental Restoration and Reuse Act), will be reduced from 54 to 51. In addition, OEHHA may not be able to provide complete information on the effects on biota and its potential to cause environmental damage to natural resources, including, but not limited to, beneficial uses of the water of the state, including sources of drinking water damage.
- Hamper OEHHA's timely response in the event of a state emergency and effective participation in the State's emergency preparedness and response program.
- Development of revised health-based recommendations for Ambient Air Quality Standards for ozone and nitrogen dioxide to protect infants and children (as required by Health and Safety Code Sections 39606(2)(b)) will be slowed.
- Assessment of the potential for toxic air contaminants to adversely impact infants and children as required by Health and Safety Code Section 39660(c)(1) will be slowed.
- Administrative functions will be substantially reduced, resulting in delays to control agencies, and backlogs in the areas of contracts and purchasing. In addition, information technology support to the Oakland staff will be reduced by 50%, resulting in delays to help desk and network issues.
- Program administrative and clerical support reductions will negatively impact OEHHA's ability to meet mandated deadlines due to significantly reduced resources in the areas of typing and tracking numerous scientific reports, and the scheduling and coordination of internal and external meetings and workshops.

Department Director Approval:

Jan E. Denton, Ph.D.

Date: 3/11/04

Agency Secretary Approval:

DeDwen for TT

Date: 3-11-2004